

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUSSELL PERCY DUNHAM,

Plaintiff,

v.

Case No. 13-10001

PARVEEN A. MALIK, et al.,

HON. TERRENCE G. BERG

HON. PAUL J. KOMIVES

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Paul J. Komives's Report and Recommendation of July 18, 2014, (Dkt. 114) recommending that the Court grant Defendants' motion to dismiss portions of the second amended complaint (Dkt. 99).

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). The Court has reviewed and will accept the Magistrate Judge's Report and Recommendation of July 18, 2014, (Dkt. 114) as the findings and conclusions of this court.

Accordingly, it is hereby ORDERED that Magistrate Judge Komives's Report and Recommendation of July 18, 2014, (Dkt. 114) is ACCEPTED and ADOPTED.

It is FURTHER ORDERED that Defendants' motion to dismiss portions of the second amended complaint (Dkt. 99) is GRANTED and that any of Plaintiff's claims that accrued before August 4, 2009, are hereby DISMISSED.

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: September 8, 2014

Certificate of Service

I hereby certify that this Order was electronically submitted on September 8, 2014, using the CM/ECF system, which will send notification to each party.

By: s/A. Chubb
Case Manager